



Order Filed on July 29, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

| |
|--|
| UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY |
| Caption in Compliance with D.N.J. LBR 9004-1(b) |
| 825117 PHELAN HALLINAN DIAMOND & JONES, PC 1617 JFK Boulevard, Suite 1400 Philadelphia, PA 19103 856-813-5500 Attorneys for HOME POINT FINANCIAL CORPORATION |
| In Re: JOHN MURPHY Debtor |

Case No.: 18-25956 - VFP

Hearing Date: 07/18/2019 @ 10:00 am

Judge: Vincent F. Papalia

Chapter: 13

Recommended Local Form: ☒ Followed ☐ Modified

ORDER VACATING STAY AND CO-DEBTOR STAY

____ The relief set forth on the following page is hereby **ORDERED**.

DATED: July 29, 2019



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Upon the motion of HOME POINT FINANCIAL CORPORATION, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property more fully described as:

35 GARSIDE PLACE, TOWNSHIP OF CLARK, NJ 07066

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further **ORDERED** that the co-debtor stay under 11 U.S.C. 1301 is vacated as to the co-debtor, JAMES G MURPHY and ANN MARIE GOLEMBIEWSKI, to permit HOME POINT FINANCIAL CORPORATION to pursue its rights in the real property described above and as to the co-debtor, JAMES G MURPHY and ANN MARIE GOLEMBIEWSKI.

It is further **ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
John Murphy
Debtor

Case No. 18-25956-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 30, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 01, 2019.

db +John Murphy, 35 Garside Place, Clark, NJ 07066-1714

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 01, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 30, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Lease Trust dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

Eric Raymond Perkins eperkins@becker.legal,
nj42@ecfcbis.com; tcolombini@becker.legal; eperkins@becker.legal

Kevin Gordon McDonald on behalf of Creditor Toyota Lease Trust kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com

Nicholas V. Rogers on behalf of Creditor HOME POINT FINANCIAL CORPORATION nj.bkecf@fedphe.com
Robert J. Jeney, Jr. on behalf of Debtor John Murphy rjjeney@comcast.net, rjjeney@comcast.net
Sherri Jennifer Smith on behalf of Creditor HOME POINT FINANCIAL CORPORATION
nj.bkecf@fedphe.com, nj.bkecf@fedphe.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7